S.B. CIVIL WRIT PETITION NO.3737/2007.

Dataram
Vs.
State and ors.

Date of Order : 23/8/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ

Shri Mahendra Singh Gurjar for the petitioner.

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Heard learned counsel for the petitioner.

Petitioner has preferred this writ petition with the grievance that his application which was filed by him under Section 183(b) of the Rajasthan Tenancy Act, 1955 before the Tehsildar Panchayat Samiti Bhuwana in the year 2001 has not been decided so far and the Tehsildar is deferring the proceedings for one reason or the other. In the application, a prayer has been made to remove the encroachment of trespass made by the respondents. The petitioner is member of Scheduled Caste, which is weaker section of the society. The proceedings are taken too long and taking advantage of this situation, the respondents have further encroached upon certain other part of his lands.

In the facts of the case, entertaining this petition directly by this Court particularly when matter is still subjudice before the Tehsildar, may not be appropriate. It is expected of the Tehsildar to expedite the matter. Additionally, if the petitioner makes a representation to the District Collector Jhunjhunu detailing out his grievance as enumerated in the present petition, the same shall be considered and needful should be done in the matter in accordance with law.

With this observation, the writ petition is disposed of.

(MOHAMMAD RAFIQ), J.

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